

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**POOR RELIEF HEARING**  
**MARCH 18, 2002**

The Tippecanoe County Commissioners met on Monday, March 18, 2002 at 3:15 P.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President KD Benson, and Member Ruth E. Shedd; Auditor Robert A. Plantenga, County Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Commissioners' Assistant Jennifer Weston was absent.)

President Knochel called the meeting to order.

***POOR RELIEF HEARING: Kevin Richardson vs Wea Township Trustee***

Mr. Richardson, 3206 US 52 S, Laf. was present to appeal his denied request of \$250.00 for rent from the Wea Township Trustee.

Wea Township Attorney Don Daniel, and Wea Township Poor Relief Caseworker Roseanne Giltner were present to represent the Township.

The witnesses were sworn in by County Attorney Luhman who then called upon Mr. Richardson to present his case.

Mr. Richardson:

- ♦ Filed for Social Security Disability after being diagnosed with Emphysema in April 2001. Because he had a job, he was denied assistance by the Township.
- ♦ June 2001: Applied to Township for assistance because he couldn't work. He was close to 120 days for judgment from Social Security.
- ♦ Nov. 3, 2001: Social Security required a physical. Mr. Richardson thought this extended the waiting period.
- ♦ Dec. 2001: Mrs. Giltner told him she thought he had been denied by Social Security, but Mr. Richardson said he had not received notification of that. He said he was denied by Medicaid by US Mail.
- ♦ Jan., 2002: Applied to Township for assistance.
- ♦ Feb., 2002: No word received from Social Security.
- ♦ March 12, 2002: Received a letter from the Township dated March 7, 2002 informing him that assistance was denied because he committed perjury by telling the Township his application for Social Security Disability was still pending.
- ♦ March 12, 2002: Mr. Richardson visited the Social Security Office and their records showed he was denied in December 23, 2001. He was told he could file an appeal for a hearing. He contacted Legal Services and is scheduled to meet with an attorney on May 3, 2002. He said he was told the Social Security appeal could take up to 10 months.

Attorney Daniel to Mr. Richardson:

- ♦ Denied for Social Security Disability in May 2001 by US Mail, but was still working. Requested reconsideration by Social Security in June 2001. Social Security had 120 days or until November 2001 to respond.
- ♦ He was urged by Mrs. Giltner in December 2001 and January 2002 to check on his application status with Social Security.

Attorney Daniel to Mrs. Giltner:

- ♦ March 6, 2002: Mrs. Giltner visited the local Social Security Office to verify Mr. Richardson's information.
- ♦ March 7, 2002: Denied assistance because he committed perjury. The information must be correct to satisfy the Township's Standards.
- ♦ March 15, 2002: Mrs. Giltner again visited the local Social Security Office to verify dates. She was told by Social Security personnel that Mr. Richardson was given a medical denial on November 29,

2001. She assumed this meant they felt he could work. Mr. Richardson was notified of such from the Indianapolis Office by US Mail.

Mr. Daniel said Mr. Richardson may have been eligible for Township assistance in March but was denied because he gave false information, not because of denial by Social Security.

If Mr. Richardson had told the Township he was denied Social Security Disability, Mrs. Giltner said the Township would have required him to do a job search or work at a not-for-profit organization to receive assistance.

Mr. Richardson said he is willing to work a few hours but he can't wear shoes for long periods of time. Mrs. Giltner interjected that he will need a letter of his doctor stating reasons he cannot work.

Final Statements:

Mr. Richardson said he was not notified of his denial by Social Security and would not have intentionally lied to the Trustee. He said Social Security personnel told him his denial was December 23, 2001, not November 29, 2001.

Mr. Daniel asked the Commissioners to consider if the Trustee followed the Standards and made a reasonable attempt to determine if the information was truthful. He said there is no reason to believe Mr. Richardson did not receive the denial letter from Social Security.

Attorney Luhman informed Mr. Richardson and Mr. Daniel that the Commissioners will make a determination five (5) days from today. Mr. Richardson and Mr. Daniel may submit proposed Findings and Conclusions by 4:30 P.M., Wednesday, March 20, 2002. These are statements of how each thinks the Commissioners should decide.

***ADJOURNMENT***

- Commissioner Benson moved to adjourn, seconded by Commissioner Shedd; motion carried.

Robert A. Plantenga, Auditor

**BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE**

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John L. Knochel, President

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KD Benson, Vice President

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Ruth E. Shedd, Member

**ATTEST:**

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Robert A. Plantenga, Auditor